

Claims 1-183 have been canceled, without prejudice. Claims 184-233, have been added. Support for the new claims is found throughout the specification. Support for the substituents may be found on pages 24-26 of the specification. No new matter has been added.

The Section 103 rejection of claims 99-107, 109, 113, 120-121, 125, 136 and 138-142 over Weltin (Oncology Research 6:399-403 (1994)) in view of Suto (Anti-cancer Drug Design, Vol. 7, 107-17 (1991)) and Endres (Journal of Cerebral Blood Flow Metabolism, 17 (11) 1143-51 (1997)) is moot in view of the above. The claims are submitted to be patentable over the combination of references and the Examiner's consideration of the following in this regard is requested.

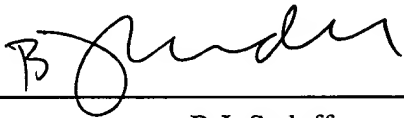
The Examiner has asserted that it would have allegedly been obvious to modify the 6(5H)-phenanthridinone of Weltin to make the presently claimed compounds and use the same for the recited methods in view of Suto and Endres. The applicants respectfully submit, however, that the combination of references would, at best, provide merely an invitation to experiment rather than making the presently claimed invention obvious. Specifically, the substituents of Suto are with regard to isoquinolinones, as opposed to phenanthridinones of the presently elected invention. Suto explains the unpredictability of substituting the isoquinolinones described therein at page 116 wherein Suto explains that moving the substituents from the 5 position to the 6, 7, or 8 position results in a "loss of activity". Clearly, it would not have been obvious or predictable from Suto what the effect on activity would be in substituting the phenanthridinone compound of Weltin. Moreover, Endres relates to the use of 3-aminobenzamide which is further from the phenanthridinones of Weltin than the isoquinolinones of Suto. The applicants respectfully submit that the Examiner has combined the references with

the unacceptable use of hindsight and the claimed invention is patentable over the combination of the cited references.

In view of the above, the claims are submitted for allowance and a Notice to that effect is requested.

Respectfully submitted,

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